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EXAMINER	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/843,566
Filing Date: April 26, 2001
Appellant(s): RICARD, GARY ROSS

Steven W. Roth
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 05/23/05.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

There are no related appeals or interferences pending with this application.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejected claims 1-44 stand or fall together.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6,097,431	Anderson	08/2000
6,275,829	Angiulo et al.	08/2001

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US.6,097,431) in view of Angiulo et al. (US. 6,275,829).

As to claims 1, 17 and 31, Anderson et al. disclose a computer implemented method and corresponding apparatus comprising processor, and memory, said memory being connected to said processor (column 5, lines 7-26), and a first screen (figure 11) being divided into a plurality of cells, each of said cells being associated with different segments of an image (column 6, lines 25-40) and a second screen being used to display one of said different segments to said user (figure 9, column 6, lines 25-40 and lines 52-65).

Anderson et al. fail to clearly teach first window and second windows. However, Angiulo et al. show the features at figures 2 and 6-8, lines 10-25. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the first and second windows of Angiulo with Anderson's screens. Motivation of the combination would have been to help the user easily browse these images.

As to claims 2, 10, 18, 26, 32 and 40, Angiulo et al. also disclose image being an

original image (column 5, line 60 through column 6, line 10).

As to claims 3, 11, 19, 27 and 33, Angiulo et al. teach image being a desired image of a user-specified size (column 6, lines 22-40).

As to claims 4, 12, 20, 28, 34 and 41, Anderson et al. also teach said desired image being larger than said original image (figures 9 and 10, K11)

As to claims 5, 13, 21, 29, 35 and 42, Angiulo et al. show desired image being smaller than said original image (figure 2).

As to claims 6, 14, 22, 36 and 43, Angiulo et al. also show the first window being a thumbnail window (column 5, line 60 through column 6, line 5).

As to claims 7, 23 and 37, Angiulo et al. provide the second window being a display screen (figures 7-8).

As to claims 8, 24, 30, 38 and 44, Angiulo et al. also provide a scaled down version of said image being presented in said first window (column 9, lines 55-65).

As to claims 9, 25 and 39, the claims are analyzed as previously discussed with respect to claim 1 except for the feature of "a second one of said plurality of cells being associated with a second image segment of said image, said second image segment not being presented to said user by said browser". Anderson shows this feature at figures 9-10.

As to claim 15, the claim is analyzed as previously discussed with respect to claims 1 and 8.

As to claim 16, Angiulo et al. also teach the image being a desired image of a user specified size (column 7, lines 40-58).

(11) Response to Argument

Appellant has argued that Anderson does not "teach plurality of segments within a single image instead Anderson just shows plurality of images". However, the Examiner respectfully disagrees because figure 11 of Anderson can be treated as a big single image on a display screen. In figure 11, plural images are combined into an unified image and each image can be treated as one segment. This big single image is divided into 9 cells and each cell represents a part of the big image. The nine images are grouped into one unified mass. User can only navigates the group of nine images simultaneously. He/she is unable to navigate one image (of the nine) individually. Once, the user selects one of nine images, the whole nine images are navigated simultaneously. That means the group of nine images navigating at the same time. Therefore, the group of nine images can be treated as one single image. What user sees on figure 11 is one unified image. A whole thing is the unified image. Applicant's attention is directed to column 6, lines 20-65 "the number of images per page....It is possible to navigate between the pages within the group type via the up, down, right and left buttons". The nine images (figure 11) are contained in one page. The page is one unified image. When user navigates between the pages, the whole nine images on the page are navigated as one group at the same time. In figure 11, user can have many pictures on the unified image as possible. One picture is one of segments of the unified image. Each picture represents one segment. So, nine pictures are nine

segments of the unified image (figure 11). Therefore, what the user sees is a proper interpretation of a single image.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Mylinh Tran
August 19, 2005

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